

MINUTES – NOVEMBER 7, 2011

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, November 7, 2011. Members present: Nathaniel Hall, Chairman, Kenneth D. Travis, Vice-Chairman, William E. Carter, Jeremiah Jefferies, Cathy W. Lucas and Gordon G. Satterfield. Absent: Erik D. Battle. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Hall opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Chairman Hall stated “We have possibly two or three items to add to the agenda for items for discussion.”

Commissioner Carter stated “I would like to put on the agenda for discussion the Board of Elections move.” Chairman Hall responded “We will put that after Item 15.”

Commissioner Lucas stated “Item 7 Caswell County Single-Family Housing Rehabilitation Project, I was wondering what the status of the SBI investigation is at this point in time. I am concerned with the Hobbs Upchurch group. I know we have a letter in here clearing them with the Housing Finance Agency but I am curious about the SBI investigation through the Department of Commerce. My suggestion would be that we take them off pending the determination from the SBI. If it is still pending we should not leave it on the agenda for tonight.” Chairman Hall responded “Ms. Lucas has suggested that we take this item off. Fellow commissioners we have had this item on before and it was pushed up to this date. Prior to approving the agenda what I will suggest is we take action, if Ms. Lucas makes this in the form of a motion, we will take action on whether to include this as an item or remove it from the agenda. I think it should be a Board action.” Commissioner Lucas asked “Can we find out from the clerk or whomever the status of the SBI investigation?” Chairman Hall responded “I don’t think the clerk has any additional information at this point.” Commissioner Lucas asked “At this point, is the full Board aware of what we are dealing with? I just want to make sure.”

Commissioner Lucas moved, seconded by Commissioner Satterfield to remove Item 7 from the agenda until further notice from the SBI.

Commissioner Satterfield stated “Mr. Chairman I would like to see our county attorney to look into that matter a little bit to see if he can kind of bring us up to date at the next meeting as to where all of this litigation stands.” Chairman Hall asked “What specifically would you want him to do?” Commissioner Satterfield responded “To see exactly where this investigation is at. If it everything is okay to go ahead with this contract or what. Let’s do some inquiries into this.”

Commissioner Lucas asked “The time frame on this particular grant, what is the deadline on that? Do we need to rebid it with other companies?” Mr. Howard responded “Do we need to rebid it? That is up to the Board on that. I have not questioned the grant agency on what the process would entail if we needed to do that.” Commissioner Lucas asked “What kind of time frame are we talking about?” Mr. Howard responded “I cannot answer that question tonight. They may withdraw the grant if we do that at this point. I don’t know. I will have to ask that question. I can say that we asked for an extension. It was supposed to be done by the end of October.”

Chairman Hall stated “To answer Mr. Satterfield query. The clerk has contacted the SBI and we were informed that they would send us a letter as soon as, I don’t remember the wording so I will let Ms. Seamster use the words that they used. She did follow up with them and we have not received a letter as of yet.”

Clerk to the Board informed the Board that she had called the SBI on three different occasions, Thursday, Friday and Monday to follow up on the status of the investigation. None of the telephone calls have been returned. When she spoke with them several weeks ago they informed her that they had a couple more people to investigate and that they would send a letter out by the end of October with their determination.

Chairman Hall stated “I mentioned that because Mr. Satterfield’s question had to do with the attorney and I wanted to make it clear what we had done so far and what we want the attorney to do later on if this motion passes.”

Upon a vote of the motion, the motion passed by a vote of five to one with Chairman Hall voting no.

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the Agenda as amended. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the Consent Agenda.

Commissioner Lucas stated “I have a correction. On page 15 the first sentence of the second paragraph where it says ‘This may not be really physical to do’ it should be ‘feasible to do’.”

Upon a vote of the motion with corrections, the motion carried unanimously.

The following items were included on the Consent Agenda:

- A) Approval of Minutes of October 17, 2011 Regular Meeting

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

Mr. Josh Atwater came before the Board and made the following statement:

“My name is Josh Atwater. My address is PO Box 932, Yanceyville. My physical address is 1326 Osmond Smith Road, Semora, NC. I would just like to say hello to you guys today. Earlier I dropped off the Person-Caswell Lake Authority Audit. I was just newly appointed to the Lake Authority board. I just wanted to introduce myself to all of you and just say that once you have had some time to look over that I will be glad to answer any questions that you may have. We just got that from the auditors and I wanted to get it to you as soon as possible. I look forward to working with all of you. My contact information is in there. I am looking forward to doing something positive for the community. That is why I wanted to come tonight to introduce myself so we could all have a good start out position. I hope that I will have your support and to be able to work with you guys on different things. If there is something that needs to be addressed right away please feel free to contact me. I would be glad to come by your home, office, your work or whatever. I will be glad to sit down and discuss any matters that you may have. I would like to do something positive for the community. I am young. That is why I am here. If you have any questions about that or anything in the future just let me know.”

Chairman Hall asked if there was anyone else who would like to speak at this time. Chairman Hall declared the Public Comments as closed.

BEACON TOWERS LAND LEASE PROPOSAL

Mr. Ferrell stated “Mr. Chairman at the last meeting there was a long term lease with Beacon Towers whereby the county would lease some land at the closed landfill for construction of a cell phone tower. That lease is in excess of ten years so it is subject to the public sale and bidding requirements. A resolution was prepared and considered at the last meeting. During the discussions on this item the Board had several substantive comments related to the terms of the lease. The lease is coming back before you as Beacon Towers has addressed some of those concerns that were raised at the last meeting regarding the lease terms. Significantly I point you to the lease term which was nine 5 year renewal terms. The proposal before you tonight is for an initial five year term and five 5 year terms. There is a significant reduction in the overall term. There was also some discussion about payment of additional sums should someone other than AT&T, who is the prime tenant for this tower, should co-locate on that site. If you will recall the version of the lease you saw previously had now provision for an increase in revenue to the county in terms of additional rent if additional carriers came onto the tower. Beacon Towers has since amended the terms to reflect a \$200 per subtenant after the first tenant increase in rent should additional carriers come onto the tower. You will also notice that there are some differences in the termination provision of the lease as compared to the last time. There were some concerns expressed about the unilateral ability of Beacon Towers to terminate the lease. Now that unilateral ability has been circumscribed somewhat as you can see in the relevant termination provision whereby the automatic out other than for lack of approvals etc. that Beacon Towers had is no longer there. It has been replaced by a requirement or the ability to

terminate in the instance that all of its subtenants leave them. Essentially, if they have no carriers left on the tower, upon notice to the county, they would have the ability to terminate the lease but it is not for any reason whatsoever as the last version said. That is the highlight of the changes since Beacon Towers was here before you last. Martin Deputy from Beacon Towers is here to address any other questions you may have. I just wanted to take a few minutes to highlight the differences in this proposal from the last time you saw it. Once again before you is a resolution that would start this upset bid process should the county be interested in considering this offer.”

Commissioner Carter moved, seconded by Commissioner Travis to adopt the resolution authorizing the upset bid process for the lease of real property for a term in excess of ten years. The motion carried unanimously.

**Resolution Of The Caswell County Board of Commissioners
Authorizing Upset Bid Process For the Lease of Real Property For a Term In Excess
of Ten Years**

Approximately 10,000 Square Foot Portion of The Following Described Parcel:

Map and Parcel: 00066 006
PIN Number: 899700196622
Tax Number: 0066.00.00.0006.0000

WHEREAS, Caswell County owns certain property identified above having an address of 162 Landfill Road, Yanceyville, North Carolina which is the site of the former County landfill; and

WHEREAS, North Carolina General Statute 160A-272 permits a county to execute a lease property of property for terms of more than 10 years by treating the lease as a sale of property and following any of the procedures authorized for sale of real property; and

WHEREAS, North Carolina General Statute 160A-269 permits the county to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer from Beacon Towers-VA, LLC, to lease an approximately 10,000 square foot portion of the property described above as is more fully described on the site layout plan attached hereto and incorporated herein as Exhibit A, in the initial amount of \$800 per month, for an initial term of 5 years with 5 additional optional renewal terms of 5 years each; and

WHEREAS, Beacon Towers-VA, LLC has paid the required 5 percent (5%) deposit on its offer which is calculated by multiplying the monthly rental rate of \$800 per month by the initial term of 60 months for a lease value of \$48,000.00;

THEREFORE, the Caswell County Board of Commissioners resolves that:

1. The Caswell County Board of Commissioners authorizes the lease of the property described above through the upset bid procedure of North Carolina General Statute 160A-269.
2. The County Clerk shall cause a notice of the proposed lease to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the County Clerk within 10 days after the notice of lease is published. At the conclusion of the 10-day period, the County Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the County Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of County Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than 10 percent (10%) of the first \$1,000 of that offer and 5 percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of 5 percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing on the lease.
7. The essential terms of the final lease are that:
 - A. The County Board of Commissioners must approve the final high offer before the lease is closed, which it will do within 30 days after the final upset bid period has passed; and
 - B. The lessee must pay with cash, cashier's check or certified check the first month's rent at the time of closing on the lease.
 - C. The monthly lease rate shall be \$800 per month for 60 consecutive months (the "Initial Term") plus additional rent of \$200 per month for each additional subtenant (starting with the second subtenant and each thereafter) commencing on the first full month after each such subtenant's rent commencement under their respective sublease.
 - D. The Initial Term of the lease shall be for the 5 years with 4 additional terms of 5 years each (each a "Renewal Term").

- E. The monthly lease rate shall increase by 15 percent (15%) over the annual rent in effect for the final year of the Initial Term or prior Renewal Term, as the case may be.
 - F. Lessee must obtain all necessary permits and approvals for the construction of an approximately 250 foot telecommunications tower on the leased property no later than March 31, 2012 or the lease shall automatically terminate.
 - G. The leased property may only be used for the construction and operation of a telecommunications tower and related facilities.
 - H. Lessee must possess a letter of intent from a national wireless telecommunications carrier (the "Carrier") evidencing the Carrier's intention to enter into a lease with the lessee to locate equipment at the leased site.
 - I. Lessee must comply with all requirements of the County's Wireless Communications Facility Ordinance, specifically including the obligation to allow the County to co-locate emergency equipment on the tower at no charge to the County.
 - J. Lessee must remove its equipment and improvements from the leased property upon termination or expiration of the lease and restore the leased property to substantially the same condition it was in on the first day of the Initial Term.
 - K. Lessee must enter into a lease agreement with the County upon the above described terms and other terms usual and customary to leases of the nature contemplated hereby. A copy of the proposed lease with Beacon Towers-VA, LLC containing the terms above and other usual and customary lease terms is on file in the office of the Clerk to the Board of Commissioners and may be viewed by any person by requesting a copy of the same from the Clerk.
- 8. The County reserves the right to withdraw the property from lease at any time before the final high bid is accepted and the right to reject at any time all bids.
 - 9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to lease the property.

This the 7th day of November, 2011.

S/Nathaniel Hall
Nathaniel Hall, Chairman
Caswell County Board of Commissioners

Caswell County Farmland Protection Plan

Mr. Alex Ashton and Ms. Stephanie Grant with the Piedmont Conservation Council, Inc. came before the Board to explain the Caswell County Farmland Protection Plan Grant.

Mr. Ashton stated “Mr. Chairman and Commissioners, I am Alex Ashton from Guilford County. I am here with Ms. Stephanie Grant. We are representing the Piedmont Conservation Council. Two of our board members, Hester Vernon and Rick McVey, also members of the Caswell County Farm Bureau are here tonight as well. If you are not familiar, the Piedmont Conservation Council was formally associated with the USDA Department of Agriculture Natural Resource Conservation Service. Back in April the federal government cut ties with the Resource Conservation Services around the state. Our council, which is a nine county region including Caswell County, had decided to continue in the mission that we had been doing with community and conservation projects around the region. Although we lost our funding and our staff person we are continuing to do the work in this region that we have been doing. In fact an example of that work recently here in Caswell County is for a \$7000 grant for a WIC applicator that is on loan to any of the farmers in the county that is for the use of their agriculture processes. We are here before you this evening to discuss a grant from the State Department of Agriculture called the Agriculture Development and Farmland Preservation Trust Fund. Julie Elmore who was formally our federal staff person spoke with you several months back regarding this grant which we applied for in March of 2011 for \$25,000. At that time we also applied for an Urban Forestry grant to do the matching portion of that grant. It was going to be a Farmland Plan and a Forestry Plan for the county. Subsequently we received \$15,000 from ADFP as opposed to the \$25,000 we had requested and we did not get the Urban Forestry grant. As far as I can tell they determined that Caswell County was not urban. Well we tried. At any rate we do have the \$15,000 from ADFP and all of the applicants this year received the same amount. It was not just Caswell County that received the \$15,000 versus the \$25,000. ADFP has determined that this is a satisfactory amount to conduct a farmland protection plan. They require a 30% match which is roughly \$5,000. We had planned on matching with the Forestry grant however that did not come through. We will probably need to find a way to meet that, probably with in-time donations that will match and Stephanie can talk with you on this in more detail in just a moment. I have some experience with the Guilford County Farmland Preservation Plan. I have a copy of that and you are welcome to thumb through it. I have also sent Mr. Howard a link to that plan so the board members can look through that at their leisure. The Guilford County plan was more heavily funded with a couple different matching grants and so forth. It had a pretty large mapping component and so forth that some of it honestly was probably superfluous as far as just meeting the direct requirements of the grant and coming up with a plan that meets the statutory requirements and is a good and satisfactory plan. Again, I believe that this is something that can be done with the funds available. We are here before you tonight to ask you if you would like for us to proceed with this Farmland Plan versus giving the funds back to ADFP with the \$5,000 in-time match. We also respectfully request commitment from Caswell County for the next fiscal year to continue its support of the Piedmont Conservation Council particularly in these critical times when we don’t have the federal funding. You have been giving consistently \$500 a year. We would request that you bring that up to \$1000 this coming year or more if you are able. Stephanie will now come and talk to you about some more details and we will both be available for questions at the end should you have any. Thank you.”

Ms. Grant stated “Good evening. I am Stephanie Grant. I am currently the staff person for the Piedmont Conservation Council so I will be the main contact person for the Farmland Protection Plan going forward. As Alex said we are basically asking you if you want us to move forward on this plan based on the reduced resources that we have. I am not sure if this is something that the Board needs to vote on or not.” Chairman Hall responded “Yes we would. Could you talk some more about the in-time matching and the possible ways to deal with that because that will be critical for us?”

Ms. Grant stated “As Alex said we were going to match everything with the other grant but we did not receive that. To meet the grant requirement they will accept in-time matches which I believe would be easier for the county to meet rather than a cash match. That can come in the form of staff time. It could be from Soil & Water districts, the county Extensive Service, people who are involved with the agricultural community in Caswell County. I think it works very well because we would need to cooperate with these people in order for you guys to get a good plan. Most of the information we would need they would have through connections to all the farmers in Caswell County. All we really need to do is to document all the time that they spend working with us and hopefully we can meet our requirement. I crunched the numbers today just sort of get an estimate and it was around \$35.00 per hour rate and that would be roughly about 150 hours of staff time. Over a 2 year grant, to get a good Farmland Protection Plan, I think that should be fairly easy to accomplish. Previously Caswell County had committed, I guess when Julie was here before, to 1500 hours of in-time staff time to run the public meetings to get feedback from the farmers and the community to get good actual information for our plan. Basically we would just increase that from 500 hours up to 5,000 additional staff time hours to help us review the plan, draft it, do research and whatever we may need.” Chairman Hall asked “Could that in-time come from the Farm Bureau staff?” Mr. Grant responded “I think so, as long as we can document that someone is working on the plan and that they did not get paid for it those hours can be included.”

Commissioner Lucas asked “Could you explain exactly what the Farmland Protection Plan is and what it entails?” Ms. Grant responded “For example with the Guilford plan and the Piedmont Conservation Council is regional so we have worked with several of the counties in our region to get their plans. The most recent one was Guilford and that was one that I was here to work on so I can speak with you on that one. It included an account of the county’s current agricultural resources, both materials and the people. Then it talks about what the risks are to your current farmland and each county has its own risks. We would research what exactly those risks are for Caswell County and hopefully outline some steps that the county can take to prevent over using the resources that you have. There are several advantages in addition to being proactive about protecting farmland in Caswell County. ADFP for future grants if you have an adopted Farmland Protection Plan the matching requirements for Caswell County since you guys are a Tier 1 county would go away. So if you guys applied for future grants ADFP would not require any matching funds as you have with this one.” Commissioner Lucas continued “So does this deal with land use or would it pertain to land use?” Ms. Grant responded “Yes, parts of it would pertain to land use.” Commissioner Lucas asked “Would there be zoning?” Chairman Hall responded “Not land use in the sense of zoning. This is land use in the form of farming, agriculture/agribusiness and that kind of stuff.” Commissioner Lucas continued “That is what I mean. I need clarification because I know we don’t have a zoning board so I did not know if this

had anything to do with that or if it is just for protecting the agricultural community.” Ms. Grant stated “Some of the plans for the more urban counties, like Durham County, their plan included some information about zoning and steps you could take in your zoning laws to protect agriculture. If you guys don’t have that then that would be something that you would not have in your plan. It just would not be applicable.”

Ms. Grant stated “Another thing for the Board to consider is that we have been speaking with Jerry Dorsett who is recently retired but he has been working with Soil & Water districts for 30 years. He was the coordinator for 24 different Soil & Water districts. He has reviewed several Farmland Protection Plans for the North Carolina Department of Agriculture. He has worked as a consultant on the development of several Farmland Protection Plans in North Carolina. As a recent retiree he is starting up his own thing and has offered his help to us in writing the Farmland Protection Plan for the amount of money that we have. My personal opinion is that is a good deal. The Guilford Plan ended up costing us close to \$50,000 with all the matching funds and everything. This one being \$20,000 is comparatively much less.”

Commissioner Carter asked “Does this include protecting the watersheds as well?” Ms. Grant responded “If you guys have specific things that you would really like to see their rules are fairly flexible with the add ons. I don’t think that watershed protection is one of the requirements from ADFP for them to accept the plan.” Mr. Ashton added “That is not a state requirement. Water quality is one that they touch on. We can get with the consultant on this issue after you get an advisory board in place.”

Commissioner Jefferies moved, seconded by Commissioner Satterfield to approve moving forward with the Caswell County Farmland Protection Plan.

Commissioner Lucas asked “Is this to accept the funding for that?” Chairman Hall responded “To accept the grant and the matching with the in-time staff time.” Commissioner Lucas asked “What is in-time?” Chairman Hall responded “In-time means we will use our staff people from Farm Bureau, and any where we can get them to help with this plan.” Commissioner Lucas asked “Do we have the advisory group already in place?” Ms. Grant responded “No ma’am. That would be something that we could work with Mr. Howard and members of the commissioners to gather anyone who is interested.”

Upon a vote of the motion, the motion carried unanimously.

Mr. Ashton asked “Do you want to use Mr. Dorsett?” Chairman Hall responded “We don’t know anything about him. I saw some stuff passing through as we were talking but I think the appropriate thing for us to do is to share this now and maybe we can make a recommendation as we talk with our local Farm Bureau people and we have had a chance to look at it. I am not prepared to make a recommendation tonight.”

TAX EXEMPTION STATUS WITH TAX OFFICE

Veterans Exemption

Chairman Hall stated “We have two items. One item is for action and the other item is for information. I would suggest that we put the second item on the agenda for the next meeting. The first item would be for the Veterans Exemption. We had Mr. Corbett to come before the Board at the last meeting.”

Mr. Ferrell stated “Mr. Corbett did come before the Board the last time presumably to appeal the tax office’s denial of his exemption or excuse me exclusion based on veterans’ status and disability under the North Carolina General Statutes. There is a tax exclusion available to qualifying veterans. He applied for this. His application was late and was denied on that basis. While Mr. Corbett was before you however he went further than dealing with the issue of a late application and addressed the merits of it. There is a memo in your package tonight from the Tax Director. It was prepared after we talked and we looked at the relevant law on the facts of this situation so not only do we have a late application under the statute but you can see if you take a deeper dive into the merits that in fact Mr. Corbett does not reside at the property which he was seeking an exemption and would not qualify even if there was not this issue of lateness. Before you tonight, if you would like to take action on the appeal to the extent that is what he came before this Board to do. It would be to address, in my view, the denial of the application on the basis that it was late or for the other reason cited in the memo.”

Commissioner Travis moved, seconded by Commissioner Satterfield to deny the tax exemption for Mr. Corbett. The motion carried unanimously.

Chairman Hall stated “Since Mr. Corbett came before this Board I will draft a letter and notify him of the actions taken.”

Agricultural Exemption

Chairman Hall stated “The tax office has been working with a citizen that says that they have requested an injunction. I am saying it this way because about two or three weeks ago I received a letter from this citizen. I contacted them and told them that I would bring this before the full Board for information. This Board does not have the letter that I received but you do have the information on the tax office’s response. What I would like to do is we have a portion of it and I will get my letter to you which may or may not explain it any further but you need to have everything. We will put this on the agenda for action for the next meeting. There is one or two things I would like the tax office to follow up on in the form of clarification. I think everything else is pretty straight forward from what I have seen.”

DISCUSSION ON POLICIES AND PROCEDURES FOR TAX DEPARTMENT

Chairman Hall stated "This was to be a general discussion. Fellow commissioners, do you have some thoughts or comments of things we could start drafting to put together in a form of a policy? Is anybody prepared to talk tonight? It appears that we are not prepared. We will have one more two week period to think about this. We will put this back on the next agenda and then we are going to move forward"

WASTE, FRAUD, & ABUSE POLICY

Chairman Hall stated "We had a citizen that came before the Board on one or maybe two occasions to talk about waste, fraud and abuse. I think it was a timely discussion and it was a timely presentation to this Board so I asked staff to start looking at pulling something together for this Board to act on. I think we have a good start. I have looked through this and I hope that you have. What we would like to do is to offer up some suggestions for additions or deletions. One of the things that I will suggest is that we circulate this to staff to get their input. I think that there are departments out there that do certain things and it would be great if we had their thoughts. This is not a "gotcha" kind of policy. It is a policy to help with situations and to help the citizens of Caswell. My suggestion would be to circulate this and to make sure that staff understands what we are trying to accomplish but in the mean time it starts up here with us."

Commissioner Jefferies stated "Mr. Chairman I think this is a good policy. I looked over this but I would also like to get all the department heads to get involved and for them to give some input before we adopt this policy."

Commissioner Lucas stated "Chairman Hall I think this is definitely needed. I think it is pretty complete and my question would be will it be on the next agenda for approval. I am ready to take some action. I think we need to move forward with it." Chairman Hall responded "I agree and I want us to move forward but I want us to look at it and to give it some serious thought as to whether we have covered everything. I have looked at it but the county is a big operation. We can't pinpoint everything we need to do. Professional ethics and things like that come into play as we deal with the various departments. There might be in some department, let's say Accounts Payable, there may be something specific that we ought to know that they see. Let's say the Department of Social Services there may be something specific that we ought to know. My goal is to approve this. My goal is to do as good a job as we can. That is why I suggested that we circulate it. My thoughts now are to put it on the next agenda for action. Feel free between now and the next meeting if you have some thoughts or concerns, you can communicate them to me or Ms. Seamster or Mr. Howard so when we get ready to act on it we can include them or at least discuss them. One of the things we might want to look at in here is we might want to put some type of mission statement in here on what it is we are trying to accomplish. All of that is important when we are getting support from staff and the community. One of the other things I have suggested to the county manager, in conjunction with this, is as elected officials we all have to sign a statement on ethics and I am suggesting that we pass this down to staff. In the future as a condition of employment they will need to sign an ethics form and I think that needs to be tied into this some way or either part of this fraud and abuse policy. There is a section in here on

ethics but we need to make it clear and we need to, in my opinion, put this in a place where it will be noticeable like at the end where you sign.”

APPOINTMENTS TO BOARDS AND COMMISSIONS

Agricultural Advisory Committee

Commissioner Jefferies moved, seconded by Commissioner Travis to appoint Sherri Brandon to the Agricultural Advisory Committee. The motion carried unanimously.

Board of Health

Commissioner Lucas moved, seconded by Commissioner Travis to appoint Carlton Carroll to the Board of Health. The motion carried unanimously.

Library Advisory Board

Commissioner Jefferies moved, seconded by Commissioner Travis to appoint Sherri Brandon, Harrison Hanville, Patricia Howard, Chereeta Kimber, Kimberly McVey, Darya Shaw, and Betsy Watlington to the Library Advisory Board. The motion carried unanimously.

Recreation Commission

Commissioner Travis moved, seconded Commissioner Travis to appoint Craig Graves to the Recreation Commission. The motion carried unanimously.

Discussion of Board Agenda Packet Automation

The Clerk to the Board discussed the information on the iPads2. She informed the Board that she had talked with several people in IT and that they did not recommend getting the iPads from Sam's, Wal-Mart or Target. They recommended getting them directly from Apple.

Commissioner Satterfield moved, seconded by Chairman Hall to move forward with the purchase of the iPad2s with the protective coverings and the 2 year insurance coverage.

Commissioner Travis asked “Is he going to make a motion on where to purchase them?”
Commissioner Satterfield responded “I am going on the recommendation of the clerk.”

Chairman Hall asked “How many is included in this?” The clerk responded that the quote included 9 iPads. Seven for the commissioners, one for the clerk and one for the county manager. Chairman Hall stated “That is why I am bringing this up. I want it clear to the Board. As we move forward, if we are going to do this, it will not work without you having one and it will not work if we do not include the county manager. We have to be able to communicate back and forth. We need to be able to move information quickly to everybody that is related to the Board. That is why I wanted to make it clear to the Board on what we are doing.”

Commissioner Travis asked "What if a commissioner wants to pay for his own?" Chairman Hall responded "That is possible but you are going to get into some areas of privacy and some other things when you start putting county business on your own computer. If someone comes in and says Mr. Travis I need to see your minutes from such and such date and I need to see the emails that you sent to Mr. Hall and you say no this is my machine, I paid for it then we will have a problem. The cost involved is for the long term. They either need to belong to the county or not belong to the county." Commissioner Travis asked "What if I want to purchase mine after I am off the Board is that possible?" Chairman Hall responded "That is possible." Commissioner Travis stated "I would like to purchase it myself."

Commissioner Lucas asked "What is the difference between purchasing the iPads from Wal-Mart or Apple?" The clerk responded that it would be around \$180 a piece. Commissioner Travis stated "If we are going to buy them then we need to buy them from someone who is going to stand behind them."

Commissioner Carter asked "The fee of \$20.00, what is that for?" Commissioner Satterfield responded "What it does is it connects you with wireless. Mr. Travis and Mr. Hall do not have very good internet service at their houses this will give them a better wireless connection. It calls for 3G coverage. Sometimes I can get it at my house and sometimes I cannot. The data plan gives you portability. The wireless connection is always with you just like your cell phone."

Upon a vote of the motion, the motion carried by a vote of five to one with Commissioner Lucas voting no.

RECESS

The Board held a brief recess.

DETENTION CENTER CHANGE ORDER REQUEST

Mr. Howard stated "At the last meeting Justin Doyne was here to give you an update on the project and he mentioned the change order that was coming for the unsuitable soils. What you have before you is a request to approve the change order for \$40,845 for the unsuitable soils. In the envelopes that you have there is actually a report on this and there are also some pictures in there that shows you some of the stuff that was found. This is for information later on."

Chairman Hall stated "I was going to mention this a little later. I had requested to the county manager and to the clerk that nothing else would be passed out to us during the meetings. We don't have time to look at it or to review it and we are really not even prepared to handle something the night we receive it. I was not quite clear on how I wanted it done but I will pass it on to you now. At future meetings if there is any information that comes to the Board that is not in our agenda packets I am asking the clerk to put it in an envelope and to pass it out to us on our way home, after the meeting. I don't want us to be distracted. If this had of gone like I wanted it to, you could have read the information in the envelopes when you got home. We have some people now, even as I talk, who are distracted. They are looking at the stuff in the packet. Here is what I am asking again, this is to the county manager and the clerk, if they are going to talk

about something and they can't get it to us before the meeting, talk about it without a handout. The handout will be put in a packet for later reading. That is the way I want to handle this."

Mr. Howard stated "This is work that has already been done. We could not hold the project up but this Board needs to approve this change order. There was no way around this in preparing the site. A lot of it was old barbed wire fencing and other stuff that was probably dumped in the hole when they cleared the land and built the courthouse over there."

Commissioner Travis asked "Evidently they did not do any soil testing prior to construction?" Mr. Howard responded "No sir, they did. What is required before you start a project or a building pad is you do bores for the building pad. They did five bores within that building pad. Nothing came back on those borings. This was actually under where the existing parking lot was located and removed. They don't normally bore under a parking lot. What they did was five bores. They did the four corners of the building and one in the middle and none of this showed up on those borings."

Commissioner Lucas asked "I was just looking at one of the pictures here and it says 'beginning to install the segmental retaining wall' is that going to be in place because I read in here where it says..." Mr. Howard responded "I will discuss that after we get through with this one."

Commissioner Travis stated "I don't like a lot of changes. We are talking about \$40,845. We had the same problem with the school. Now we are going to have to dig up this dirt and haul it away and then bring some back in." Chairman Hall responded "I am going to comment this way Mr. Travis, over my professional career I have probably been involved in about fifteen or twenty capital projects. Since I have been on this Board we have probably had two. Always up front you have to plan for the unexpected. That is just the way it is. Every capital project that I was involved in there was change orders. There was always something that came up. I understand and that is why we watch things carefully but there are some things that can be anticipated or should be anticipated. Some things you can't. A lot of agencies or organizations when they deal with capital projects their contingency may be 20% of the profit or 10%. It is there for a reason. It is there because unexpected things come up."

Commissioner Lucas asked "Is the proper procedure for approving a change order prior to the work being done or after the fact?" Chairman Hall responded "Almost always it is done prior to the work being done." Mr. Howard added "Usually on site work if we stop then it will cost more money because we will be paying that contractor while they are sitting there needing to move forward. Any project that I have done, the site work portion of it, the unexpected stuff we take care of it because it has to be done to keep the project moving. Anything outside of that such as a door would look better here than there that would be approved before the change is made." Chairman Hall continued "I will say this as well. Most of the projects that I was involved in were approved up front but what comes with doing these projects is the governing board makes some determinations up front. The governing Board did not make the rules up front and if we did we are violating them."

Commissioner Jefferies stated "Mr. Chairman I think we did good with our decisions but I think we should have done more research on the old jail. There is a spring coming up in front of the

jail. If this would have been corrected this would have never happened. I don't have a problem with what they are trying to do now." Chairman Hall responded "I was just trying to explain that these things happen. I was not trying to justify one way or the other but you are right there are some things in other projects that occurred."

Commissioner Lucas asked "I was just thinking in the terms of if I were building my own house and something of this nature came up, Kevin explain to me, are you the one that is looking at these numbers that is being expended or is it the construction manager?" Mr. Howard responded "I will tell you that this is not the original change order that was sent in. The contract gives the change order to the construction manager. They review that change order based on the contract. We have some lump sum prices in the contract. S&ME, the soil tester we hired a few weeks ago, they are on site. They are verifying the soil amounts. The actual 2,037 yards that we had to replace, that was based upon their calculations on what had to be removed and what had to be put back." Commissioner Lucas continued "So we are depending on the construction manager then?" Mr. Howard responded "We are depending on the construction manger and the firm doing our soils testing to make sure that we have proper compaction so that we do not have any settling once the building is finished."

Commissioner Travis asked "What other choice do we have. The work has been done." Mr. Howard responded "The work has been done. The next one I want to talk about has not been done yet. We will talk more about it at the next meeting. We can stop the project and have them sit for a week until we can get everybody here and then move forward if you would like. This is something, unless we change the site, it had to be done." Commissioner Travis stated "That is a whole lot of dirt to take out and put back in. Did they do that themselves or did they hire someone to do that?" Mr. Howard responded "The crew that is doing the site work did it." Commissioner Travis continued "Where did they get the dirt?" Mr. Howard responded "It came from a couple of sites in the county where we could buy the dirt. The soil coming in has to be approved and meet compaction testing as well." Commissioner Travis stated "We need to go ahead and approve this thing because it has already been done."

Commissioner Lucas asked "The picture just shows where the water was, is that basically where the unsuitable soil was?" Mr. Howard responded "Most of it was in the area where the old parking lot was." Commissioner Lucas continued "So all of that was considered unsuitable soil?" Mr. Howard responded "Yes ma'am. Part of it was a lot of it was junk and trash. Other parts were either where it retained water too much or had compaction issues."

Commissioner Satterfield moved, seconded by Commissioner Jefferies to accept the change order.

Commissioner Lucas asked "Will this be coming out of the contingency?" Mr. Howard responded "Actually we received a credit early on when we changed the block wall which was a \$98,000 credit so there is still \$48,000 left in that credit we got at the very beginning of the project. We will use that credit to pay for this. We still have not touched the contingency that was put into place for this project." Commissioner Lucas asked "How much was put into place for contingency?" Mr. Howard responded "Over \$300,000, I am not sure of the exact amount."

Upon a vote of the motion, the motion carried by a vote of five to one with Commissioner Lucas voting no.

Mr. Howard stated “The second part to this issue. I mentioned in my memo that the retaining wall started to go up. Testing was done. We made some adjustments for that retaining wall. As they were digging to install, if you go out there you will see a large junction box for storm water out there, as they dug down in that they found alluvial soil material that is about four to six inches thick and about six feet deep. The original test they did, did not go that deep. They would not have found this if it were not for this junction box there. The requirements for the borings did not meet that. The issue that we have is the alluvial layer will settle. We are actually having some testing done now to see how much settling there could be. If it could be less than 2” we can probably go ahead with the wall as planned. If it is more than 2” other action will need to be taken. The options we will be working on and bring to the next meeting for approval before we do anything. We could either continue with the wall and do the action to install the wall or change it over to do a sloped bank there. That would be the cheaper of the two. With the initial estimates that will be the cheaper of the two if we have to do additional engineering for that retaining wall. What apparently has caused this soil problem is there was a pond there back in the 40s or 50s and we are finding out now. Nobody on staff knew this was there. This is what created this issue with the soils. There is a memo in that envelope and you can read it when you get home. This will be put back on the agenda for the next meeting when we bring you back the options to fix this. What would happen with the wall if it is installed the way it is without doing that is the wall would not fail but it could end up wavy. Some areas may settle more than others and you could end up with possible cracks in the brick and the wall would have a wave in it as areas settle.”

Chairman Hall asked “So when you come back with all of this information, one of the things you are going to tell us is the options and the cost of those options?” Mr. Howard responded “Yes sir.”

Commissioner Travis stated “We need to have the best option. That is the main thing.” Mr. Howard responded “We will discuss that too. Aesthetically the wall would probably be better. The wall was there to hopefully save those trees. We have an issue where we still could not do that. The architect put that wall in there to try to save those large oak trees. Maintenance wise as far as the building itself either one is fine. They are both far away from the building that there will not be an issue as far as the building goes.” Commissioner Travis responded “The best thing for the trees over there is every one of those trees needs to come up.” Mr. Howard responded “They are going to have to be. All of them have except for one and it is going to have to come up also.” Commissioner Travis continued “We are going to have the same problem as we had with the tennis courts. The roots will tear up the concrete. We can’t take the taxpayers money to build a building to have the trees mess it up.” Chairman Hall responded “He said that all of them are gone but one.” Mr. Howard added “And that one will have to go as well.”

Commissioner Lucas asked “So no work is being done on the retaining wall?” Mr. Howard responded “No ma’am.”

Commissioner Travis asked “How many days behind are we now?” Mr. Howard responded “We are 20 days behind due to rain and the building pad. We feel pretty confident that we will make that up. The retaining wall itself, what that is delaying is the entrance road and the parking lot but there is still time to catch that back up. They are working diligently to get the footings poured and the pad poured so it should not delay the project anymore.”

RESOLUTION FOR REDISTRICTING

Mr. Ferrell stated “Mr. Chairman at your last meeting the redistricting resolution was back before you as it is again tonight. The way this sits and in my view is there is essentially two plans in consideration. At the last meeting they were brought before the Board, a Plan A and a new plan developed by the Southern Coalition for Social Justice. In response to some of the commissioner’s comments from the last meeting about the impact of the redistricting plan that was put before them from the Southern Coalition specifically the changes that were made in that plan to some existing constituents placement, if you will. What staff has done in the interim since the last meeting is to try to address the concerns of Commissioner Travis and Commissioner Carter in particular about the change in constituents that the Southern Coalition plan represented. The idea is to first develop a plan that complies with the law and also do it in a way that is political feasible. This is a political decision anyway you cut it, any redistricting is. Retaining a constituent base is just as legitimate consideration in this redistricting process. Consistent with your comments just a few minutes ago, Mr. Chair, about material being placed before you, this item runs into that same issue. There are some new maps put together to attempt to generate a compromise plan, if you will, that takes the existing Option A and the option originally put together by the Southern Coalition and to move them around a little bit to try to address the specific comments of Commissioner Travis and Commissioner Carter regarding their particular districts. Based on your comments Mr. Chair it is inappropriate to try to focus attention on these maps tonight. There were attempts at the staff level to address the concerns of the commissioners with these maps and to get you something that does the best we can to meet everybody’s stated objectives in the process. To the extent that you would like to consider these maps obviously you don’t have time to take a look at them today so perhaps we need to put this off until the next meeting. I am loathed to say that because everyone knows the time pressures we are under but it is also important to get it right and to have maps considered appropriately by everyone.”

Chairman Hall stated “I am assuming these maps are in this envelope.” Mr. Ferrell responded “They are. The expertise to put these maps together are of a particular skill set so we are working with others and we are depending on others to really tweak these maps that have the software. To the extent that there may be other comments tonight and I will just reference you Mr. Travis, you have mentioned the Prospect Hill area in particular in the last set of meeting minutes so that is one area that we specifically tried to address. Commissioner Carter mentioned Yanceyville and so in particular we tried to work on those areas. If there are any other particular issues that any commissioner has with any of the proposed maps to the extent that you are prepared to speak to issues we can try our best to work on those issues as the new map is put together before your next meeting.”

Chairman Hall stated “We tried to address questions from this Board from the last meeting. These were just received this morning so there was not enough time to get them out for review. I would suggest that we put them on for the next meeting but I would also suggest that between now and the next meeting to take a look at these and anything that we have looked at in the past and if you have any questions shoot them to Ms. Seamster so she can shoot them to Mr. Ferrell so he can get a response back hopefully days before we have the next meeting. Any queries that you may have get them to Ms. Seamster so she can get them to Mr. Ferrell.”

Commissioner Carter asked “Who worked on these maps?” Mr. Ferrell responded “The new maps that you have in your packets tonight, the Southern Coalition for Social Justice prepared those. They have the software programs and the experience and we did put to them the specific issues that we would like for them to go back to the drawing board, if you will, and those were the responses.” Commissioner Carter continued “I would like to compliment and thank them for coming up with the B and C plans. It kind of addresses what Mr. Travis and I talked about in our districts.” Chairman Hall responded “I think it was the idea of staff when they went back and talked with them about it. I think when we get closure we will thank all of the appropriate bodies, outside of the county, for their assistance.”

RESOLUTION AUTHORIZING UPSET BID PROCESS FOR THE SALE OF REAL PROPERTY

Mr. Ferrell stated “At the last meeting there was an offer on land that the county owns. It was in response to an offer to purchase. The ten day period for upset bids has expired. I would like to ask the clerk if any upset bids were received.” The clerk responded that no upset bids were received. Mr. Ferrell continued “Having no upset bids received according to the resolution passed by the Board the sale will move forward. Staff is already authorized to move forward with the sale assuming there were no upset bids. We will move forward according to the existing resolution. I just wanted the record to reflect whether or not upset bids were received.”

BOARD OF ELECTIONS

Commissioner Carter stated “Mr. Chairman since our last meeting I have spoken with DA Bradsher. It was his understanding that the Board of Elections was going to be moved to the old senior center. He said that as far as he was concerned they needed that space. He also said that the DA’s office would be downstairs and that he is going to have an office there at the courthouse. He said that he was going to spend more time here than in Roxboro. I think I am the one that said that they did not need the extra space but after going down there and talking with court personnel and talking with one of the judges and after talking with the DA I do see a need where they will need that extra space. I know last week they had three courts going on down there. There was civil court, criminal court and another court going on down there. I do see a need for the space and I did talk to the DA about and after talking with him I do see a real need for it.”

Chairman Hall stated “What I will suggest Mr. Carter is that we will put this on the agenda for the next meeting for action. If you have any information that should be provided to this Board

get it to the clerk so we will have it in time to go in the agenda packet so that everybody could take a look at it.”

Commissioner Carter stated “He also stated that he was going to send the county manager a letter stating that there was a need for it.”

Commissioner Lucas stated “I was wondering if the full Board could be made aware of the future plans for the courthouse like the magistrates’ office. It will be relocated into the new detention center, is that correct?” Chairman Hall responded “I don’t know if we have taken a vote on all of these things. It would be good to have this information at the next meeting. County manager, if you would check back through the minutes to see if we voted on anything.” Commissioner Lucas added “I also understand that Maintenance will be moving to Guilford Mills. Is there a plan to move all of the county employees out of the courthouse?” Chairman Hall responded “I don’t know if there is a full plan. I know at least three years ago we told the maintenance director that he would be moved out. If we could get the county manager and the clerk to go back through the minutes to see what we discussed. I don’t think we discussed formal action on a whole plan. This Board may want to do that but I don’t think it was ever done.” Commissioner Travis responded “I may be wrong but I thought we made that decision some time back when we walked through all the buildings.” Mr. Howard responded “It has been part of the discussions in the capital projects for this year.” Chairman Hall stated “It has been discussed but I do remember prior to Travis getting sick and before his passing that we told him that we would move his office out of that closet over there and into a space that we had available. I know we talked about it.”

Commissioner Jefferies stated “This makes this Board look bad. First we make a motion to move the Board of Elections and it was approved. Then we come back and then another motion is made to not move the Board of Elections and here we go again. This makes us look bad.” Commissioner Travis responded “It is not the first time that this has happened and it will not be the last.”

Chairman Hall stated “What I will do is, I will put it on the next agenda with any relevant information that anybody has and we will take another vote. We will make sure to check the minutes according to our Rules and Procedures as to who brought it up but that is another issue.”

Commissioner Travis asked “So in order words we can continue to bring stuff up until we get it like we want it and then move on?” Chairman Hall responded “Yes, that is the way a democratic board works. Speaking to Mr. Jefferies’ comment there is a certain amount of personal ethics that we all have. If I vote for something today and then vote for something else next week then my personal ethics are in question.” Commissioner Travis continued “Well I will be honest with you I don’t think I have ever voted to move the Board of Elections to start with.” Chairman Hall responded “I am not talking about you personally. I am talking about the actions that this Board takes. Because we do things democratically, we have to go with what the majority rules. That is just the way it is.”

Commissioner Lucas stated “I think it would be helpful to have as much information as we can before we make a decision to the extent that we know what we are talking about.”

COUNTY MANAGER'S REPORT

County Project Updates CATS Expansion

Mr. Howard stated "They have moved in. The project is complete. They are doing some touch up work over there. If you get the chance stop over there and take a look at it. It will give them enough space to expand over the next couple of years. This also gives the EMS additional space on their side as well."

Chairman Hall stated "So you said the project is complete and that everybody is back in place. Let me ask you a general question that has been asked of me a couple of times. Is the EMS Director moving back over there?" Mr. Howard responded "He has not moved yet, no sir. They are still tying up loose ends on the EMS side. He will be moving back quickly, within the next couple of weeks. Probably by the next Board meeting." Chairman Hall stated "That is two more weeks." Mr. Howard responded "They were going to do some painting and stuff in that office over there where CATS was located." Chairman Hall stated "I can accept that. I just wanted to make sure. I refused to respond until I was able to make sure. The project is just about complete and you are saying that the EMS director will be back in place within two weeks. I can live with that."

Pelham Water Tank

Mr. Howard stated "There was a slight delay in painting. They should start painting this week. We are still way ahead on this project. The original completion date was to be in March but they should be completed by late January."

Tennis Courts

Mr. Howard stated "They have come in and done the additional work they needed to do. I did not get over there today but Friday they put the gravel in so they should be putting the asphalt down this week or the first part of next week."

Town of Yanceyville Meeting Date

Mr. Howard stated "I have spoken with them and they are ready to meet any time that this Board is ready. We just need some dates from the Board on when you would like to do that."

Chairman Hall asked "Did anybody get any dates to Ms. Seamster on this Town of Yanceyville meeting? Here is what I am going to ask Ms. Seamster to do. Let us go home tonight and Ms. Seamster if we do not call you by tomorrow afternoon call us on Wednesday to get our dates. This will give us until tomorrow afternoon to check our schedules."

Commissioner Jefferies stated "There is no need to call me. I can meet any time."

Commissioner Carter stated "Any evening will be fine with me except for the 21st."

Chairman Hall stated "Please check your calendars and get with Ms. Seamster on possible dates."

Chairman Hall stated "In that same light we had a personnel situation that came up and in the interest of employee privacy I am not going to call any names tonight. Many of you may be aware of the situation but I am still not going to call any names. An employee was terminated and this employee has requested a hearing before this Board. The representative for the employee submitted a letter to the county manager requesting to be put on the agenda for the 21st of this month. When I was informed of that I did not think that was a good idea for a couple of reasons. Number one the last time we had a quasi-judicial hearing it went on for a couple of hours. I don't think it would be fair to the other people on the agenda or fair to the employees and certainly not in the best interest of the commissioners that we spend four or five hours one night to try to take care of all the business that is put on the agenda. My suggestion would be that we hold this hearing at a separate time rather than a regular Board meeting. Once I found out I called the employee's counsel and I was informed that he was out of town until Wednesday so he will not be aware of this. What I would like to do is to get dates from the Board members so that we can schedule a hearing and get it done in a timely manner preferably I think before the 21st."

Commissioner Travis stated "I think next Monday night would be a good date." Chairman Hall responded "We will have to check our various calendars. We have not spoken with her counsel but I would like to get at least two or three dates to communicate to him. I already have a meeting for next Monday. Let's get a couple dates together and again if we don't call Ms. Seamster by tomorrow with two dates, one for the personnel hearing and one for the Town of Yanceyville meeting, then I am going to ask her to call you Wednesday morning. When we get those three or four dates for the personnel hearing I will communicate with her counsel the dates we have available and what we are suggesting. I think we need to schedule a time when we have an appropriate amount of time to do the hearing and we need to have a procedure in place and I will talk with counsel about that to make sure that we follow the appropriate rules. We will look at our personnel policy and other policies and various laws. We want to do this appropriately."

ANNOUNCEMENTS

Mr. Satterfield stated "I don't have any announcements but I would like to ask a couple of questions and maybe Mr. Manager can answer this. You may have discussed this at the last meeting and I am sorry that I could not be here but can we get a copy of an update on the maintenance plans for the capital projects. The proposed dates on when we are going to do what to what. Maybe once we get the iPads that can be put into some type of format to keep us informed of what is going on there. Another question that I had was on the zoning. If you could kind of bring us back up to date by email or something. I am not expecting an update tonight but bring us up to date on where we are at on the zoning issue." Mr. Howard responded "We have been trying to get in touch with the lady who has been helping us on that. She had told us that she would have an update to us by this fall. She was out of the office all of last week. I was going to try to give you an update tonight but as soon as I know something I will get it out to everybody on where we stand with moving forward." Chairman Hall added "I will reinforce Mr. Satterfield's questions and comments. I would hope that we would be pretty aggressive in

contacting the lady in Raleigh. She did offer her services. She did tell us when she would have us an update. The time has come and gone. I think in terms of the maintenance plan we really need to have that as well.” Mr. Howard responded “Yes sir.”

Commissioner Jefferies asked “The only thing I have is could we use the parking lot the days that the court does not use it for DSS? It was asked about this and I could not give them a straight answer on it.” Chairman Hall stated “I was approached two or three times last week about the parking situation. What is the current policy Mr. Manager? What have we told staff right now about the parking?” Mr. Howard responded “The parking lot directly in the back of the courthouse on Church Street is for public parking. Originally this parking lot was for public parking only and no staff parking in there. What I did last week was, I am working with the DSS director and the Clerk of Court to try to make that parking lot available on days that there is no court because of the issues we have had to come up. As I said before, there is not enough parking around those building while this construction is going on because we are down fifty or sixty parking spaces. The way we left this last week, after talking with the Clerk of Court, DSS director and other department heads, is this is going to be adjustable as we move through this project. There may be things that come up and we may have to adjust it again to rearrange parking to make things work. What we are trying to do, and this soils issue and I hate to bring that back up but there, is going to be 38 additional parking spaces on the entrance as you come in at the Health Department. We are trying to get those graveled to use as employee parking to use as quickly as we can. So as soon as we are able to bring that road in and get that graveled it will be ready for employee parking and we will move some employees down there to free up some additional parking. Again, until this project is completed it will be a work in progress over there making adjustments as needed to accommodate citizens who are there for services, some are there for court and our employees.”

Chairman Hall stated “I think Mr. Jefferies’ question was on the days that they don’t have court can we use that parking lot. I think the short answer is going to be yes but the long answer is going to require constant communication and it is going to require staff to be flexible in their thinking. The Clerk of Court spoke with me last week. Two citizens spoke with me last week and one employee told me that I parked in her parking space. So when I spoke with the Clerk of Court, the Clerk of Court told me that various employees, amongst themselves, have gone and claimed parking spaces. I told this young lady that there was no name out there where I parked. She said it was still her parking space and she was serious. My point is, I understand their concerns but I think that staff has to understand that they work for the county and that serving the citizens comes before them arguing about parking spaces. This parking space was right at the door. I could not believe that this employee told me that I took here parking space and because of that she was so upset that she parked her car on the grass. I am telling you this story because the county manager, the clerk, the DSS director, all of them have to be involved. The project is not going to go away until it is finished. That day was an unusual day because court was going on but there was also seventy or eighty people subpoenaed for jury duty and the judge held them there all day from 9:30 until 4:00. I think Mr. Manager back to Mr. Jefferies’ question can the employees use it when they are not having court? Sure. Do we have to change something on a daily basis? We certainly will and staff has to understand that. Everybody cannot park right at the front door. It has to be clear. I think that whatever we do there should be parking available for citizens, for the elderly and the handicapped to do business. We just can’t allow staff to take

those close parking spaces because it is convenient and because it has always been that way. Like this employee told me ‘why should I have to walk? I work for the county.’ I was not her direct supervisor so I did not respond. You can imagine how I felt.”

Commissioner Jefferies stated “This is the reason I say this, there is about ninety to one hundred people that come to Social Services and there is not enough parking for them. I went down there early in the morning and I could not find a parking space. I even saw that EMS had their big trucks over there in that parking lot. They need to park across the street behind their building. I am just saying there are a lot of people that go down there to Social Services. There is nowhere for these people to park.” Chairman Hall responded “We have to be flexible. The county manager, social services director, health department director, all have to get involved and they have to tell staff that this is the way it is going to be. This is not going away until we finish this project. If somebody has a good suggestion on how to alleviate the problem tell them to get it to us. If we can get this date scheduled with the Town then we can have discussions with the Town about parking. It is a political issue so it is going slow.”

Commissioner Lucas stated “I just wanted to make a note that we received the Lake Authority audit on time this year and that is commendable. I do have an issue though, the fact that the Lake Authority makes appointments, and I have discussed this with Attorney Ferrell, I think we should have been involved in the replacement of Mr. Murphy. Would it be a consideration to have it change where the Lake Authority would get it back to this Board before an appointment is made? Is this possible or is it feasible to do this? I know you said it was a legislative act.” Mr. Ferrell responded “I think there are two approaches. One is to go to legislature and ask them to consider a local act to specifically state that vacancies are filled by the appointing county. That is one way to proceed. Another way to proceed is to go to the Lake Authority and to ask them to amend their by-laws to allow for the interim appointment to be made by the constituent counties. Those are just two ways that I can think of, on the spur of the moment, to address that particular issue.” Chairman Hall responded “We can put this on the agenda Ms. Lucas and the Board can decide which way they want to go on this.”

Commissioner Carter stated “I don’t know if any of you have been by the Senior Center where they have seeded the grass. It looks real good. It looks real nice”

Chairman Hall stated “I have two comments just for information. The Piedmont Triad Regional Council of Government’s executive board met last week and because of increases in funding the Caswell County Senior Center will receive some additional dollars. Under the Home and Community Care Block Grant our funding will go up by \$6,472. We have some Title 3D Health and Promotional money to promote disease prevention which is a good health stuff grant that comes to the county and we will receive \$750 for senior games and \$1000 for additional healthy types of activities. Finally the General Purpose fund, based on the formulas all of the Centers of Excellence will get another \$12,205 in general purpose funds. Our center is a Center of Excellence. There is about five or six of them in the region so we will have an additional \$12,000 to allocate. There is a Senior Center Advisory Board that presents those budget recommendations to the county manager which brings them to us. We should see these pretty soon.”

The clerk informed the Board about the Employees Appreciation Luncheon will be on Monday, December 5th at 12:00 at the Civic Center and she requested that each commissioner attend and that she would like for them to participate in the program. She also reminded the Board to activate their new email addresses and to send in their questionnaire to the auditor.

Mr. Howard stated “There is an announcement for the Veterans’ Day program at your seats. The program will be this Friday.”

CLOSED SESSION

Commissioner Travis moved, seconded by Commissioner Jefferies that the Board enter into Closed Session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)). The motion carried unanimously.

REGULAR SESSION

Commissioner Travis moved, seconded by Commissioner Jefferies to resume regular session. The motion carried unanimously.

Chairman Hall stated that the Board should contact a higher level of management with PBH. He recommended having a meeting with the Alamance County Board of Commissioners, PBH and the Alamance/Caswell LME Board.

Mr. Howard informed the Board that Debra Welch was in charge of the new PBH office.

Chairman Hall stated that he would contact the Chair of the Alamance County Board of Commissioners and PBH to request a meeting.

Commissioner Satterfield asked the question if Alamance County did not want to have a joint meeting could the Board request a meeting with PBH. Chairman Hall responded yes and that someone needed to answer the Board’s questions.

ADJOURNMENT

At 9:00 p.m. Commissioner Jefferies moved, seconded by Commissioner Satterfield to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
